

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TODD LOPEZ, ESQ., as Guardian ad Litem for
A.R.O., a minor child, AMANDO ORTIZ, SR.,
individually, and Tanya Ortiz, individually,

Plaintiffs,

v.

No. 2:23-cv-0239 KG/DLM

UNITED STATES OF AMERICA,

Defendant.

**ORDER ADOPTING SEALED PROPOSED FINDINGS AND RECOMMENDED
DISPOSITION RECOMMENDING APPROVAL OF SETTLEMENT AGREEMENT**

THIS MATTER is before the Court on the Sealed Proposed Findings and Recommend
Disposition (PFRD). (Doc. 81.) After holding a Fairness Hearing (Doc. 80), United States
Magistrate Judge Damian L. Martínez filed a PFRD (Doc. 81) recommending that the Court
approve the parties' December 20, 2024 Stipulation for Compromise Settlement and Release of
Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677 (the Settlement) (Doc. 81-1). The
PFRD notified the parties of their ability to file objections within 14 days and that failure to do so
waives appellate review. (Doc. 81 at 8.) As neither party filed objections, the Court finds objections
have been waived.

IT IS THEREFORE ORDERED that the PFRD (Doc. 81) is **ADOPTED** and the parties'
Settlement is **APPROVED**.

IT IS FURTHER ORDERED that Matthew Vance shall remain in the case until it is
confirmed the funds have been transferred into the Trust and closing documents have been filed in
this lawsuit.

IT IS FURTHER ORDERED that the parties shall file closing documents no later than **September 5, 2025**, to include a stipulated motion releasing Vance from his duties.

IT IS SO ORDERED.

/s/ KENNETH J. GONZALES¹
CHIEF UNITED STATES DISTRICT JUDGE

¹ Please note that this document has been electronically filed. To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the court's PACER public access system.